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SUBJECT: SECURITY COUNCIL RENEWS UNOCI MANDATE

REF: SECSTATE 79165

¶1. (SBU) Summary: The Security Council on July 30 unanimously adopted Resolution 1880, extending the mandate of the UN Operation in Cote d'Ivoire (UNOCI) until January 31, 2010. Negotiations on the French-drafted resolution were non-contentious. The resolution expresses support for the ongoing electoral process in Cote d'Ivoire and conveys the unwillingness of the international community to tolerate delays in elections scheduled for November 29, 2009. The text of Resolution 1880 follows in paragraph 5. End Summary.

¶2. (SBU) On July 30, the Security Council unanimously adopted UNSCR 1880 extending UNOCI's mandate until January 31, 2010. France drafted the resolution and was the only member to speak following its adoption. Negotiations over the text of the resolution were non-contentious. The resolution expresses strong support for the ongoing electoral process in Cote d'Ivoire and conveys the unwillingness of the international community to tolerate further delays in presidential and legislative elections scheduled for November 29, 2009. The resolution asserts that the Council is prepared to take measures, pursuant to paragraph 13 of resolution 1842 (2008), against individuals who threaten the national electoral or reconciliation processes. The resolution also calls upon all parties to ensure the protection of civilians.

¶3. (SBU) French Perm Rep Ripert noted the 'unity of views' in support of the resolution and the extension of the UNOCI mandate. Ripert emphasized the importance of holding free, fair and open elections, criticized past electoral delays, and reiterated the Council's unwillingness to tolerate further postponement. Ripert noted that past delays, often caused by insufficient political will, have led to serious instability in the country. Ripert stated that the Council will closely monitor the anticipated publication of the provisional and final voters list in the coming months.

¶4. (SBU) Ripert praised the Ouagadougou process as well as reconciliation efforts led by President Blaise Compaore of Burkina Faso. Ripert also hailed the registration of 6.5 million Ivoirians as cause for optimism. Finally, Ripert requested that the Secretary-General inform the Council on progress related to the provisional voters list in September.

¶5. (SBU) Begin text of UNSCR 1880:

United Nations S/RES/1880 (2009) Security Council Distr.:
General 30 July 2009

Resolution 1880 (2009) Adopted by the Security Council at its
6174th meeting, on 30 July 2009

The Security Council,

Recalling its previous resolutions, in particular resolutions 1528 (2004), 1721 (2006), 1739 (2007), 1765 (2007), 1795 (2008), 1826 (2008), 1842 (2008) and 1865 (2009), and the statements of its President relating to the situation in Cote d'Ivoire, and resolution 1836 (2008) on the situation in Liberia,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Cote d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the Agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement", S/2007/144), and that it welcomed the four subsequent Supplementary Agreements,

Recalling in particular that in its resolution 1721 (2006) it notably endorsed the decision of the African Union Peace and Security Council on the mandate of the Head of State, and recalling further that in the statement of its President dated 28 March 2007 (S/PRST/2007/8) it endorsed the Ouagadougou Political Agreement, including its Chapter V on the institutional executive framework, and that this Agreement provided for a period of ten months for the holding of the presidential elections,

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Expressing again its appreciation to President Blaise Compaore of Burkina Faso ("the Facilitator") for his continued efforts to support the peace process in Cote d'Ivoire, in particular through the Ouagadougou Political Agreement follow-up mechanisms, commending and encouraging the continued efforts of the African Union and the Economic Community of West African States ("ECOWAS") to promote peace and stability in Cote d'Ivoire, and reiterating its full support for them,

Stressing again the importance of the international consultative organ participating in the meetings of the evaluation and monitoring committee, as an observer,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, and expressing its intention to examine without delay the situation after any such attempt, on the basis of a report by the Secretary-General,

Having taken note of the report of the Secretary-General dated 7 July 2009 (S/2009/344),

Recalling its resolution 1674 (2006) on the protection of civilians in armed conflicts, noting with concern, in spite of the sustained improvement of the overall human rights situation, the persistence of reported human rights violations against civilians in different parts of the country, including numerous acts of sexual violence, stressing that the perpetrators must be brought to justice, and reiterating its firm condemnation of all violations of human rights and international humanitarian law in Cote d'Ivoire,

Recalling its resolution 1612 (2005) on children and armed conflict and the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties in the armed conflict of Cote d'Ivoire S/AC.51/2008/5, and expressing its deep concern that children continue to suffer from various forms of violence,

Recalling also its resolutions 1325 (2000) and 1820 (2008) on women, peace and security, condemning any sexual violence, stressing again the importance of women's equal participation and full involvement in all efforts for the maintenance of peace and promotion of peace and security and the need to increase their role in decision-making with regard to conflict prevention and resolution, and encouraging the Secretary-General to mainstream a gender perspective in the implementation of the mandate of the United Nations Operation in Cote d'Ivoire ("UNOCI"),

Determining that the situation in Cote d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

¶1. Recalls that in the statement of its President dated 29 May 2009 (S/PRST/2009/16) it welcomed the new electoral timeline endorsed in Ouagadougou by all the main Ivorian political actors and leading to the first round of the presidential elections on 29 November 2009, and underlines that the parties are bound to respect this timeline to demonstrate their political commitment towards the holding of free, fair, open and transparent elections;

¶2. Reiterates its determination to bring its full support to a credible electoral process for the presidential and legislative elections in Cote d'Ivoire and expresses its conviction that any postponement of the presidential elections of 29 November 2009 in Cote d'Ivoire would be inconsistent with a credible process and with the Ouagadougou Political Agreement as endorsed by the Security Council;

¶3. Welcomes the successful completion of the operations of registration of voters;

¶4. Recalls that it had requested in its resolution 1865 (2009) the President of the Independent Electoral Commission to share publicly the details of the time frame, and takes note of the dates he provided for the five stages leading to

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the elections of 29 November 2009;

¶5. Reiterates that the publication of the electoral list is a crucial step in the electoral process, looks forward to the publication of the provisional voters list before the end of August 2009 and urges the Ivorian actors to meet their commitments in full and without delay;

¶6. Expresses its determination to follow closely the publication of the provisional and of the final electoral lists, encourages the Facilitator and the Special Representative of the Secretary-General to inform it without delay of any difficulty that may put at risk the electoral time frame, expresses its intention to examine any such situation without delay and requests the Special Representative of the Secretary-General to certify the voters list explicitly;

¶7. Reiterates that the Special Representative of the Secretary-General shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and reaffirms its full support to the Special Representative of the Secretary-General in his certification role,

¶8. Stresses that it will base its assessment of the electoral process on the certification that will be prepared by the Special Representative consistent with the five-criteria framework referred to in document S/2008/250 and after inclusive contacts with all stakeholders in Cote d'Ivoire,

including the civil society;

¶9. Stresses the importance of an inclusive participation of the Ivorian civil society in the electoral process, and of ensuring the equal protection of and respect for human rights of every Ivorian as they relate to the electoral system, and in particular respect for freedom of opinion and expression, and removing obstacles and challenges to women's participation and full involvement in public life;

¶10. Urges the Government of Cote d'Ivoire to provide the operators involved in the electoral process with the necessary support and encourages the international community to continue their support to the electoral process, including by providing, with the agreement of the Ivorian authorities, electoral observation capacity and related technical assistance;

¶11. Recalls that it is fully prepared to impose targeted measures pursuant to paragraph 16 of resolution 1842 (2008), including among other things against persons who are determined to be a threat to the peace and national reconciliation process in Cote d'Ivoire, and recalls further that, pursuant to paragraph 6 of the above mentioned resolution, any threat to the electoral process in Cote d'Ivoire, in particular any attack or obstruction of the action of the Independent Electoral Commission in charge of the organization of the elections or the actions of the operators mentioned in paragraphs 1.33, and 2.11 of the Ouagadougou Political Agreement, shall constitute a threat to the peace and national reconciliation process for the purposes of paragraph 9 and 11 of resolution 1572 (2004);

¶12. Urges again the political parties to comply fully with the Code of Good Conduct for elections which they signed under the auspices of the Secretary-General, and in particular urges the Ivorian authorities to allow equitable access to public media;

¶13. Takes note again of the ceremony of transfer of authority held in Bouake on 26 May 2009 as a positive development, urges the Ivorian parties to make further progress to advance the reunification and disarmament processes, and encourages the international donors to continue to provide their support to them, as appropriate;

¶14. Calls upon all concerned parties to ensure that the protection of women and children is addressed in the implementation of the Ouagadougou Political Agreement as well as the post-conflict reconstruction and recovery phases, including continued monitoring and reporting of the situation of women and children and that all reported abuses are investigated and those responsible brought to justice;

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¶15. Calls also upon all Ivorian parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence, which could include, inter alia, enforcing appropriate military disciplinary measures, upholding the principle of command responsibility, and training troops on the categorical prohibition of all forms of sexual violence;

¶16. Recalls the recommendation by its Working Group on children in armed conflict in Cote d'Ivoire (S/AC.51/2008/5) that a National Action Plan to address sexual violence be adopted, welcomes steps taken so far and urges the Government of Cote d'Ivoire, with the support of UNOCI and other relevant actors to finalize and implement it, welcomes also the Programme of Action to Combat Sexual Violence in the areas within its control signed by the Forces Nouvelles in January 2009 pursuant to the above-mentioned recommendations as well as the communique issued by four militia groups indicating their willingness to combat sexual violence, and calls upon all relevant parties, with the continued support of UNOCI to work together to implement their commitments;

¶17. Urges the signatories of the Ouagadougou Political Agreement to take the necessary steps to protect vulnerable civilian populations, including by guaranteeing the voluntary return, reinstallation, reintegration and security of displaced persons, including by addressing land tenure issues, with the support of the United Nations system, and to fulfill in this regard their commitments in accordance with the Ouagadougou Political Agreement and their obligations under international law;

¶18. Welcomes the progress made in the identification process, which is key to the long-term stability of Cote d'Ivoire, and calls upon the Ivorian parties to continue the identification operations, including after the elections;

¶19. Decides to renew the mandate of UNOCI, as determined in resolution 1739 (2007), until 31 January 2010, in particular to support the organization in Cote d'Ivoire of free, open, fair and transparent elections, within the electoral time frame referred to in paragraph 1 above;

¶20. Requests UNOCI, within its existing resources and mandate, to support actively the parties in the implementation of the remaining tasks under the Ouagadougou Political Agreement and its Supplementary Agreements, in particular those that are essential to the holding of a free, fair, open and transparent presidential election of 29 November 2009, and to continue to support the disarmament, demobilization and reintegration programme and the disarmament and dismantling of militias, and to provide technical and logistical support to the Independent Electoral Commission for the preparation and the holding of the elections in a secure environment;

¶21. Requests the Secretary-General to continue to monitor progress on the achievement of the benchmarks referred to in annex 1 of his report dated 7 July 2009, encourages him to continue to refine and update them and to report to the Security Council, and expresses its intention to review these benchmarks in full before 15 October 2009, taking into account in particular the progress of the electoral process;

¶22. Reiterates its full support to the efforts of the Special Representative of the Secretary-General in Cote d'Ivoire, and requests UNOCI to continue to actively sensitize the Ivorian population to his certification role;

¶23. Commends the Facilitator for continuing to support the process to settle the crisis in Cote d'Ivoire, and requests UNOCI to continue to assist him and his Special Representative in Abidjan in the conduct of the facilitation, including by helping the Facilitator, as appropriate and upon his request, to carry out his arbitration role according to the provisions of paragraph 8.1 of the Ouagadougou Political Agreement and paragraphs 8 and 9 of the third Supplementary Agreement;

¶24. Reaffirms its intention, as expressed in resolution 1836 (2008), to authorize the Secretary-General to redeploy troops, as may be needed, between the United Nations Mission in Liberia (UNMIL) and UNOCI on a temporary basis and in accordance with the provisions of resolution 1609 (2005), as recommended by the Secretary-General in paragraph 25 of his

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report dated 7 July 2009 (S/2009/344) and calls on troop contributing countries to support the efforts of the Secretary-General in that regard;

¶25. Underscores the importance of updating the military concept of operations and rules of engagement before 30 September 2009 and requests the Secretary-General to report thereon to the Security Council and troop contributing countries;

¶26. Requests UNOCI to continue to contribute, pursuant to paragraph 2 (k) of its resolution 1739 (2007), to the promotion and protection of human rights in Cote d'Ivoire, with special attention to violence committed against children and women, to monitor and help investigate human rights violations with a view to ending impunity, and to continue to support the efforts all parties should take pursuant to paragraph 15 and 16 above, and further requests the Secretary-General to continue to include in his reports to the Security Council relevant information on progress in this area;

¶27. Requests UNOCI, in this context, to also continue to contribute, pursuant to paragraph 2 (m) of its resolution 1739 (2007) to assist the Government of Cote d'Ivoire in restoring a civilian policing presence throughout Cote d'Ivoire, and to advise the Government of Cote d'Ivoire on the restructuring of the internal security services and in re-establishing the authority of the judiciary and the rule of law throughout Cote d'Ivoire,

¶28. Stresses the need for UNOCI and humanitarian agencies to continue to work closely together, in relation to areas of tensions and of return of displaced persons, to exchange information on possible outbreaks of violence and other threats against civilians in order to respond thereto in a timely and appropriate manner;

¶29. Requests the Secretary-General to continue to take the necessary measures to ensure full compliance in UNOCI with the United Nations zero-tolerance policy on sexual exploitation and abuses and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

¶30. Decides to extend until 31 January 2010 the authorization it provided to the French forces in order to support UNOCI, within the limits of their deployment and their capabilities;

¶31. Expresses its intention to review the situation as well as, as appropriate, the mandate of UNOCI, subject to the progress of the electoral process and in particular to the establishment of the voters list, and in any case no later than 15 October 2009, requests the Secretary-General to inform it in early September of the publication of the provisional electoral list and further requests the Secretary-General to provide to it a mid term report, by 30 September 2009, of the situation on the ground, including a specific update on the security situation, and of the preparation of the electoral process;

¶32. Further requests the Secretary-General to inform the Security Council in his upcoming reports on the development of his strategic workplan containing indicative timelines to measure and track progress on the implementation of the benchmarks referred to in paragraph 21 above;

¶33. Expresses its intention to review by 31 January 2010 the mandate of UNOCI and the authorization provided to the French forces which support it, the level of troops of UNOCI and the benchmarks referred to in paragraph 21 above, in light of the progress achieved in the electoral process and in the implementation of the key steps of the peace process, and requests the Secretary-General to provide to it a report to this end three weeks before this date;

¶34. Decides to remain actively seized of the matter.

End text.

RICE